

3. Given that the purpose of the revised Brief was to correct the very same problem, one would logically expect Appellants to take extra precaution to assure the same problem did not occur twice.


In any case, Appellants have again included triplicate copies of the Appeal Brief. A copy of the required Appendix is attached to each Brief.

Per MPEP 1206 (page 1200-12), when an Appeal Brief does not contain an Appendix of the claims, Appellant is given one month from the date of the letter to file a new complete Brief. The Briefs transmitted herewith are filed within one month of the date of the February 5, 1997 Advisory Action. Accordingly, Appellants believe no extension of time is necessary.

Appellants apologize for the inconvenience caused by not including the Appendix with the original Brief. Appellants again respectfully submit that Appendices were included with the revised Briefs sent January 2, 1997. In any case, the issue should be made moot by the corrected Briefs and appendices enclosed herewith and which are sent within one month of the date of the letter.

Respectfully submitted,

FOR: LETHA M. HINES
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